

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

RICHARD HOYER and  
MARY HOYER,

Plaintiffs,

v.

Case No.: 04-70089

HONORABLE VICTORIA A. ROBERTS

MICHIGAN UFCW UNIONS AND  
EMPLOYERS HEALTH AND  
WELFARE FUND and MODERN  
SERVICE INSURANCE  
COMPANY,

Defendants.

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**JUDGMENT**

On May 17, 2005, the Court GRANTED Defendant Michigan UFCW Unions and Employers Health and Welfare Fund's Motion for Judgment [Doc. 43]. Judgment enters for Defendant Michigan UFCW Unions and Employers Health and Welfare Fund on all counts of the complaint.

The Court also DISMISSED, without prejudice, pendent state law claims against Modern Service Insurance Company.

**IT IS SO ORDERED.**

**S/Victoria A. Roberts**

**Victoria A. Roberts**

**United States District Judge**

**Dated: May 19, 2005**

The undersigned certifies that a copy of this document was served on the attorneys of record by electronic means or U.S. Mail on May 19, 2005.

**s/Carol A. Pinegar**  
**Deputy Clerk**